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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|   |                        |                            |
|---|------------------------|----------------------------|
| TRANSMITTAL<br>FORM<br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/636,049                 |
|   | Filing Date            | 08/07/2003                 |
|   | First Named Inventor   | Kevin William Orth, et al. |
|   | Art Unit               | 3727                       |
|   | Examiner Name          | Lien M. Ngo                |
| Total Number of Pages in This Submission  | Attorney Docket Number | 1440-0003.01               |

### ENCLOSURES (Check all that apply)

|  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <p>Remarks</p> <p>Other Enclosures:<br/>- Return Postcard</p>  |  |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |  |          |        |
|--------------|--|----------|--------|
| Firm Name    | Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. |          |        |
| Signature    |  |          |        |
| Printed name | Andrew G. Kolomayets                                 |          |        |
| Date         | JANUARY 27, 2005                                     | Reg. No. | 33,723 |

### CERTIFICATE OF TRANSMISSION/MAILING EV 459447046 US

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as ~~first class mail~~ in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Express Mail

|                       |               |      |         |
|-----------------------|---------------|------|---------|
| Signature             | Armando Ching |      |         |
| Typed or printed name |               | Date | 1-27-05 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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P.O. Box 1450, Alexandria, VA 22313-1450

Approved for use through 07/31/2006. OMB 0651-0032

NAME: Armando Ching SIGNATURE: *Armando Ching* U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## Fee Transmittal For FY 2005

JAN 27 2005

Applicant claims small entity status. See 37 CFR 1.27  
TOTAL AMOUNT OF PAYMENT (\$ 1,020.00)

| Complete if Known    |                            |
|----------------------|----------------------------|
| Application Number   | 10/636,049                 |
| Filing Date          | 08/07/2003                 |
| First Named Inventor | Kevin William Orth, et al. |
| Examiner Name        | Lein M. Ngo                |
| Art Unit             | 3727                       |
| Attorney Docket No.  | 1440-0003.01               |

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 50/1039 Deposit Account Name: Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.  
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |              | SEARCH FEES |              | EXAMINATION FEES |              |
|------------------|-------------|--------------|-------------|--------------|------------------|--------------|
|                  | Fee (\$)    | Small Entity | Fee (\$)    | Small Entity | Fee (\$)         | Small Entity |
| Utility          | 300         | 150          | 500         | 250          | 200              | 100          |
| Design           | 200         | 100          | 100         | 50           | 130              | 65           |
| Plant            | 200         | 100          | 300         | 150          | 160              | 80           |
| Reissue          | 300         | 150          | 500         | 250          | 600              | 300          |
| Provisional      | 200         | 100          | 0           | 0            | 0                | 0            |

#### 2. EXCESS CLAIM FEES

##### Fee Description

|  | Fee (\$) | Small Entity |
|--|----------|--------------|
| Each claim over 20 (including Reissues)            | 50       | 25           |
| Each independent claim over 3 (including Reissues) | 200      | 100          |
| Multiple dependent claims                          | 360      | 180          |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|---------------------------|----------|---------------|
| - 20 or HP = | x            | =        |               |                           |          |               |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |  |  |
|---------------|--------------|----------|---------------|--|--|
| - 3 or HP =   | x            | =        |               |  |  |

HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x                   | =        |               |

#### 4. OTHER FEE(S)

|  |                |
|--|----------------|
| Non-English Specification, \$130 fee (no small entity discount)                      | Fees Paid (\$) |
| Other (e.g., late filing surcharge): <u>Petition for Extension of Time (3-month)</u> | 1,020.00       |

#### SUBMITTED BY

|                   |                      |   |                        |
|-------------------|----------------------|---|------------------------|
| Signature         | <i>Armando Ching</i> | Registration No. 33,723<br>(Attorney/Agent) | Telephone 312-236-8500 |
| Name (Print/Type) | Andrew G. Kolomayets |   | Date 01/27/2005        |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Attorney Docket No. 1440-0003.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Kevin William Orth, et al. )  
Serial No.: 10/636,049 )  
Filed: August 7, 2003 )  
Examiner: Lien M. Ngo )  
Art Unit: 3727 )  
For: REDUCED APPLICATION ENERGY )  
CLOSURE )

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

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Date of Deposit: January 27, 2005

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(TYPED OR PRINTED)

SIGNATURE: Armando Ching

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT IN RESPONSE  
TO OFFICE ACTION MAILED JULY 28, 2004**

Dear Sir:

This is in response to the Office Action mailed July 28, 2004.